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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 2781

UNITED STATES OF AMERICA	**Magistrate Docket No.** ________
Plaintiff	COMPLAINT FOR VIOLATION OF:
v.	
GONZALEZ, Jorge Canizalez aka: PAZ AMBRIZ, Benjamin	**TITLE 18 U.S.C. 1544 Misuse of a Passport issued to Another (Felony)**
Defendant	

The undersigned complainant, being duly sworn, states:

On November 29, 2007, in the Southern District of California, defendant Jorge GONZALEZ did knowingly and willfully use a passport issued for the use of another when he applied for entry into the United States at San Ysidro Port of Entry using a U.S. passport issued in the name Benjamin PAZ AMBRIZ, knowing full well that he was not Benjamin PAZ AMBRIZ and therefore not entitled to use the passport.

All in violation of Title 18, U.S.C. 1544

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Signature of Complainant
Alex R. Moore, Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me this 30th day of Nov, 2007.

UNITED STATES MAGISTRATE JUDGE

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STATEMENT OF FACTS

I, Alex R. Moore, declare under penalty of perjury, the following is true and correct:

1. I am a Special Agent (SA) with the Diplomatic Security Service, U.S. Department of State, currently assigned to the San Diego Resident Office, San Diego, California. I have been employed with the Department of State for over twenty-two years and am authorized by statute to investigate violations of federal law.

2. This affidavit is based upon my personal knowledge or those specific sources as set forth.

3. I submit this affidavit in support of a complaint against Jorge Canizalez GONZALEZ, aka: Benjamin Paz Ambriz, hereinafter referred to as "defendant," for violation of Title 18, United States Code, Section 1544.

4. On November 29, 2007, at approximately 1730 hours, the Customs and Border Protection (CBP) office at SYPOE notified the DS San Diego Resident Office (SDRO) that an individual had been detected at approximately 1500 hours attempting to enter the U.S. using a passport issued in the name Benjamin Paz Ambriz. I conducted a passport check on the Consolidated Consular Database and found passport application number 210541407 in the name Benjamin Paz Ambriz. That same night, I responded to SYPOE to view the passport and interview the person who used it.

5. At approximately 1900 hours on November 29, I arrived at SYPOE and reviewed the passport in question and found the photograph and biographical data on the passport matched that of the passport application, indicating the passport was legitimately issued.

6. CBP Officer Neilson advised me that an IAFES fingerprint check revealed the defendant's true identity to be Jorge Canizalez GONZALEZ, born February 1, 1974 in Mexico. I compared a photograph from the defendant's alien file and he was not the same person depicted in the passport he used to attempt entry into the United States.

7. At approximately 1930 hours, I interviewed the defendant in English, with CBP Officer Neilson serving as Spanish interpreter. I witnessed CBP Officer Neilson read the defendant his Miranda rights in Spanish. Defendant then agreed to waive his rights and talk to me, and signed a Spanish language Miranda waiver statement, using the name Jorge GONZALEZ. I asked defendant what his true name was and he stated, "Jorge GONZALEZ." I asked defendant where he was born and he stated, "Mexico City."

8. I showed defendant the passport he used to attempt entry into the United States and he admitted that the passport was not his, and added that he bought the

passport from a document vendor in Tijuana for $300. I showed the defendant a copy of the passport application for the passport in question, and he admitted that neither the photograph nor the biographical data was his, adding that he did not know who the person depicted in the passport was.

9. Based on the aforementioned information, I assert that there is probable cause to believe that the defendant, Jorge Canizalez GONZALEZ, did knowingly and willfully use a passport that was issued for the use of another in an attempt to enter the United States illegally on November 29, 2007, a violation of Title 18, United States Code, Section 1544 (Misuse of a Passport).

Executed on 11/30/07 at 1320

Alex R. Moore
Special Agent

On the basis of the facts presented in this probable cause statement consisting of two pages, I find probable cause to believe that the Defendant named in this probable cause statement committed the offense(s) in violation of Title 18, United States Code, Section(s) 1544.

SWORN AND SUBSCRIBED TO before me

this 30th day of Nov. 2007.

UNITED STATES MAGISTRATE JUDGE